UNITED STATES DISTRICT COURT DISTRICT OF RHODE ISLAND

UNITED STATES OF AMERICA,
For The Use and Benefit of
J.H. LYNCH & SONS, INC.,

Plaintiff,

v.

C.A. No. 10-366 S

TRAVELERS CASUALTY & SURETY COMPANY)
OF AMERICA and HONEYWELL BUILDING)
SOLUTIONS SES CORP.,)

Defendants.

Defendants

ORDER

WILLIAM E. SMITH, United States District Judge.

Defendants Travelers Casualty & Surety Company of America ("Travelers") and Honeywell Building Solutions SES ("Honeywell") (collectively "Defendants") moved to dismiss this action brought by Plaintiff United States of America ex rel. J.H. Lynch & Sons, Inc. ("Lynch"). In the alternative to dismissal, the Defendants asked the Court to stay this litigation pending a determination by the United States Navy on Honeywell's request for an equitable adjustment of the contract price for a contract they say includes Lynch's claim.

Defendants' motion to consolidate this matter with related case, United States ex rel. Arden Engineering Constructors, LLC v. Honeywell Building Solutions SES and Travelers Casualty & Surety Company of America, C.A. No. 10-365 S, is also pending before this Court. (See Def.'s Mot. to Consolidate (ECF No. 7).)

After a hearing was held on this motion, among other

motions, the Court received a letter from Lynch indicating that

it was willing to enter into a stipulation with Defendants for a

sixty day stay of litigation. (Letter from L. McCarthy, III,

Counsel to J.H. Lynch & Sons, Inc., to the Hon. William E. Smith

(Dec. 10, 2010) at 1.)

Having heard no objection from Defendants, this action is

hereby STAYED for a period of sixty (60) days. This order will

be effective nunc pro tunc as of December 10, 2010, the date of

Plaintiff's letter.

IT IS SO ORDERED.

|s| William E. Smith

William E. Smith

United States District Judge

Date: January 5, 2011

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